Filed: 8/19/2020 1:15 PM
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By Tatiana Ortega Deputy
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NO. 417-53803-2020

IN THE INTEREST OF	§	IN THE DISTRICT COURT
	§	
S.L, J.L. AND L.L.	§	417TH JUDICIAL DISTRICT
	§	
CHILDREN	§	COLLIN COUNTY, TEXAS

RESPONDENT'S MOTION FOR CONTEMPT AND FOR SANCTIONS

Respondent/Mother Kelly Long (hereinafter referred to as "Mother") files this Motion for Contempt and Sanctions against Petitioner/Father Michael Long (hereinafter referred to as "Father"), and shows the Court the following:

I.

On August 12, 2020, this Court ordered that Mother have possession of the children the subject of this suit from August 14, 2020 at 6:00 p.m. until August 16, 2020 at 6:00 p.m., and that the parties exchange the children at 6:00 p.m. in Waco, Texas at the Starbucks located at 4273 North Interstate Highway 35, Waco, Texas 76705. Petitioner/Father was present via Zoom when the Order was given by this Court. Moreover, Petitioner/Father understood the terms and conditions as he picked up the boys on Sunday August 16, 2020 at 6:00PM in Waco, Texas, but failed to meet Mother in Waco on Friday August 14, 2020 at 6:00PM and failed to provide Sophie Long, the parties daughter in this suit to Mother as per the Court's order.

On August 18, 2020, this Court ordered that Mother have possession of the children the subject of this suit beginning on August 18, 2020 at 6:00 p.m. in Waco, Texas at the Starbucks located at 4273 North Interstate Highway 35, Waco, Texas 76705. Petitioner/ Father's attorney was present via Zoom when the Order was given by this Court. Moreover, Petitioner/Father

understood the terms and conditions of this Court's order, but failed to meet Mother in Waco on Tuesday August 18, 2020 at 6:00PM, and failed to provide Sophie Long, the parties daughter in this suit to Mother as per the Court's order.

II.

As shown more specifically in the affidavit attached hereto as Exhibit A, and incorporated herein for all intents and purposes, Father Michael Long has violated this Court's temporary order by failing to exchange the children at 6:00 p.m. in Waco, Texas on August 14, 2020. Due to his failure to exchange the children, Respondent had to drive to Seguin, Texas to retrieve the children, and was forced to contact local authorities to aid in retrieving her children. The oldest child, Sophie Long, was never exchanged, and stayed in possession of Father for the entirety of Mother's weekend period of possession in direct violation of the Court's order.

Additionally, Father Michael Long has violated this Court's temporary order issued on August 18, 2020 by failing to exchange the children at 6:00PM in Waco, Texas on August 18, 2020. Father arrived at the ordered exchange location around 9:00PM on August 18, 2020 with Sophie Long only and did not encourage her to leave with the Mother or facilitate or aid in the exchange in any way. Father contacted the local authorities to state that the child was being harmed by Mother and the child's grandmother. Father Michael long maintained possession of the children after 6:00PM on August 18, 2020 in direct violation of the Court's order.

III.

Accordingly, Mother requests that this Court set this motion for hearing and that after said hearing, the Court hold Petitioner/Father Michael Long in contempt for violating the Court's Orders, and upon hearing find Petitioner/Father Michael Long guilty of contempt of court and asses punishment in the form of sanctions in the amount of $10,000 and attorney's fees associated herewith. Respondent/Mother Kelly Long further requests that Petitioner/Father

Michael Long reimburse her for the costs of driving to Seguin, Texas as opposed to exchanging in Waco, Texas as Ordered, and reimburse her for costs of traveling to Waco, Texas on August 19, 2020, and requests makeup visitation for all days that Petitioner/Father Michael Long withheld the children from Respondent/Mother Kelly Long, specifically, Sophie Long.

Respectfully submitted,

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Attorneys for Respondent, Kelly Long

Certificate of Conference

I certify that a reasonable effort has been made to resolve dispute without the necessity of court intervention and has failed.

_____
Amber Shemesh/ Alexandra Willen
Attorneys for Kelly Long

Certificate of Service

I certify that a true copy of this Motion for Contempt and Sanctions of Michael Long was served in accordance with rule 21a of the Texas Rules of Civil Procedure on the following person on August 19, 2020:

Taylor Mohr by electronic filing manager.

Amber Shemesh/ Alexandra Willen
Attorneys for Respondent, Kelly Long

NO. 417-53803-2020

IN THE INTEREST OF	§	**IN THE DISTRICT COURT**
	§	
S.L, J.L. AND L.L.	§	**417th JUDICIAL DISTRICT**
	§	
MINOR CHILDREN	§	**COLLIN COUNTY, TEXAS**

AFFIDAVIT FOR KELLY LONG

Kelly Long appeared in person before me today and stated under oath:

"My name is Kelly Long. I am above the age of eighteen years, and I am fully competent to make this affidavit. The facts stated in this affidavit are within my personal knowledge and are true and correct.

My name is Kelly Long (herein after known as "Kelly") and I am the Respondent/ Mother to Sophie Long, born on September 16, 2010, Jack Long born on November 11, 2011 and Lucas Long born on December 19, 2013. Their Father and Petitioner is Michael Long (hereinafter known as "Michael"). Kourtney Chalmers, (hereinafter known as "Kourtney"), Step-mom of the children.

On August 14, 2020 I received notice, via Michael's application for further temporary restraining order, that he did not intend to meet me in Waco at 6:00 p.m. as Ordered by the Court on August 12, 2020. I had to drive to Michael's home in Seguin, Texas to retrieve my children. On August 14, 2020 at 10:35pm, I arrived at Michael Long's RV. I called the Guadalupe County Sheriff's department to assist me in getting my kids back as Michael has refused to return them in the past, it was late at night and he lives in a very isolated remote location on a dead end dirt road. Guadalupe County Sheriff's department informed me that there were already several officer's on site at Michael's RV. When I pulled up, the gate at the end of the driveway was locked. I turned my car around and I took the temporary restraining order I had received signed by the Court on

the same day to the police. There was a biker, who I did not know, leaning against the fence staring directly at me as I got out of my vehicle.

The officer told me that he had already heard Michael's side of the story and that they were not there to start any trouble. The officer told me that the boys were willing to go with her but that Michael told them that Sophie did not want to go with me and they could not force her to do so.

I waited, Jack came out first, he gave me a hug and jumped in the car. The gate closed behind him and Michael again locked it. Lucas came out next, I gave him a hug and he jumped in my car again, Michael closed and locked before Sophie could have a chance to come out as well.

While my mother and I were waiting another biker came up to us and said that they were there to make sure the kids were safe. There were multiple people on Michael's property watching us. Sophie eventually came out; she would get close to the gate and run away, she would again get a little closer to the gate and run away. It is my understanding that Michael and Kourtney have taken Sophie to multiple doctors and appointments over the course of the last week. Michael's wife Kourtney came up to us and tried to talk to my Mother about a grocery sack of medications for Sophie that she was holding. I asked Kourtney what Sophie was being tested for or what procedures and assessments Sophie had underdone. Kourtney informed me that she was getting tests done on her ankle, which is the first time I had heard about an injured ankle. Kourtney accused me of lying and said she had a video of Sophie telling me her ankle hurt. I was very confused as to what she was referring to.

Sophie was not allowed to be away from Kourtney and/or Michael the entire time I was present on Michael's property. I told Sophie how much I love her and missed her, gave her a hug and she allowed my mother to give her a hug also. This all occurred over a fence since the gate was locked and we were not allowed to step foot on Michael's property.

The officer saw that I was talking to Sophie through a fence and the officer asked Michael if he would open the gate and allow me to step inside and speak with Sophie directly, and Michael refused. At one point, Michael whispered something into Sophie's ear about being scared, and my Mom told Sophie there is nothing to be afraid of and Michael sternly in front of Sophie said "Why are you putting ideas in her head".

One one point, my Mother suggested that Michael pick Sophie up and physically bring her to us. Michael shook his head and said "She's a big girl" to which my Mother responded "You are a big boy", since Michael is 6ft 4 inches tall and clearly has the capacity to lift Sophie up. Michael attempted to chase Sophie to pick her up, but Sophie kept running away from him.

I continued to speak with the officers and was talking to the boys. I didn't want to stress Sophie out anymore by what was going on. When I gave her a hug I told her to come and spend the night, that we weren't going to be very far. Sophie began to ask what hotel we would be staying at and how far it would be, what is the address, what is the name of the hotel. I told her it was very close by and we would return her in the morning. These questions came across as she was being coached, Michael was also hovering over her. Sophie has told me before that having Michael hover over her intimidates her, and that when he gives her a specific look, she knows that she is supposed to give the answer that he wants and she said something wrong. Sophie didn't smile, she was very withdrawn. She was not the vibrant little girl that I dropped off earlier in the summer. I didn't recognize my little girl. Sophie told me to come back tomorrow and maybe she would come with us. I told her I would be at her appointment tomorrow and we would spend some time after. I had the boys say goodbye to her, and we left.

Michael told me that Sophie was to have "emergency blood work" on Saturday, August 15, 2020. I called the location he sent me, and they informed me that they are closed on Saturday's

and that Michael would have to have a prescription of some sort requesting the blood work. They stated they had no information regarding tests being done on Sophie at their facility. Kourtney stated that they did not have any prescription. I asked Michael several times about Sophie's appointment and he refused to provide any information. He stated that he was not comfortable providing this information and to call her pediatrician. When I contacted the pediatrician, she informed me that Sophie had no upcoming appointments with her.

On August 15, 2020, I had still not received any information regarding Sophie's appointment. I sent Michael a text three hours in advance to let him know we would be coming to pick up Sophie. I sent him a text when we were 15 minutes away to let him know we were close. When I arrived, my mom called Michael and told him we were outside. Michael stated he was surprised by this and was not aware we were coming again for Sophie. Michael then said he would have to speak with her before letting her come outside. After about 15 minutes, my mom called him again and Michael stated that Sophie was now in the restroom and he did not know when she would be out. I then texted Michael asking about her appointments and what happened since he never sent me the information since we had agreed that I would be taking her. His response was that the doctor told her to rest so he decided NOT to take her and that he would take her when she felt like going. Michael has made it seem that these doctors appointments are urgent and they cannot be missed. However, in his care the story seems to change, and he has not shown any proof they exist.

I then texted him and asked him to have Sophie come out. Michael responded that us coming back to pick her up was stressing Sophie out. At one-point Michael let two very large dogs out and they began barking at us aggressively. Michael did nothing to help the situation; he allowed the dogs to continue barking at us and did not allow us to speak to Sophie.

Eventually, Sophie came out of the RV and was hiding behind a tree. She finally got about five feet from the locked gate. Michael refused to unlock the gate so my Mom could have access to Sophie and give her a hug. Sophie was constantly looking at Michael for reassurance to make sure that what she was doing was okay. I didn't get out of my car as I did not want to cause further stress as Michael claimed I was doing.

It is clear to me that Michael has been influencing her to say and do things that are not true. He did not assist in letting Sophie come with me as he just caused Sophie further stress and escalated the entire situation. Michael has also used Sophie's alleged "appointments" as his reasoning for not letting Sophie come with me which have not been confirmed as I have continued to get the run around regarding doctors, appointment times, dates and locations. After speaking to the pediatrician, she cleared Sophie medically and recommended that Sophie continue care with her primary pediatrician. She stated that the travel restrictions should not prevent Sophie coming back to Collin County.

On August 18, I was informed I was to meet Michael at 6:00 p.m. in Waco to pick up my three kids. I received messages from Michael while I was en route stating various delays in his arrival, from CPS being at his home doing the home visit to Sophie refusing to get in the car, and that he would be late. I arrived at the Starbucks in Waco at 6pm, where we were ordered to exchange the children and waited almost three hours for Michael to arrive. When he arrived, my Mother and I went to his vehicle to get Sophie out and she began screaming. Sophie was sitting in the middle seat with her seat belt on. When my mother opened the door, the seat behind the passenger side was pulled down not allowing us access to get Sophie, or even unbuckle her seatbelt. My Mother attempted to unbuckle her but due to the seating Michael had intentionally arranged, it was extremely difficult to access. My Mother was unable to unbuckle her seatbelt, so

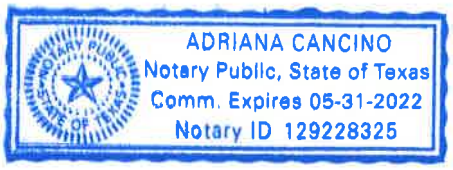
I attempted. I was able to get Sophie unbuckled, while she resisted physically and screamed for help from her Daddy. Once unbuckled we attempted to physically remove her from the vehicle. Michael did nothing to help this situation except record the situation. He did not reassure Sophie she was safe and she should go. He said nothing except that he could not help. I decided to go to the other side of the vehicle, and it was locked. I asked Michael to open the door and he refused several times. He continued to say no because "the door on the other side was open". Michael finally unlocked the vehicle once Sophie had escaped from my Mother's arms and planted herself on the center console, not letting go of the driver and passenger headrests. Sophie continued to scream disrespectfully at us, my mother asked her what was wrong and attempted to talk to Sophie. We asked her what was going on and she said she did not want to come with us. When we asked her why, she did not know what to say. Sophie only said that she was nine, and smart and could make her own choices. Michael called the police claiming that I was hurting Sophie, which was not true and the officer stated that clearly she was not in physical harm or distress, however, they were not able to help with the situation since the Father, Michael did not want Sophie to come with me. Sophie was continuously disrespectful to me, my Mother, the police and even Michael's Father. I corrected her each time, and told her it was not acceptable. Michael did not intervene, or correct her behavior, he continued to stay silent and record the situation. Prior to leaving, we each gave Sophie a partial hug, as she refused to let go of the headrests. We offered Sophie the dinner we had bought for her, she said she wanted it and we left it with her, as Michael indicated in prior messages she had not had dinner and would need it.

I am concerned that if Michael continues to have the kids, he will continue to manipulate them and emotionally harm them, and that my kids will grow up to hate me and I will never be able to see or speak to my kids again. I have been unable to speak with Sophie alone for five weeks,

as Michael is always watching or recording her. I believe Michael has intentionally alienated Sophie from me, and is causing her severe emotional trauma."

Kelly Long

SIGNED under oath before me on August 19, 2020.



Notary Public, State of Texas

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Status as of 8/19/2020 3:01 PM CST

Associated Case Party: Kelly Long

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